IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

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WRIT PETITION NO: 12415 of 2005

Between:

K.Premnath (E-113571), S/o.Late K.Laxmaiah,
Tarnaka, Hyderabad.

..... PETITIONER

AND

1 The Vice Chairman & Managing Director,

APSRTC, RTC 'X' Roads, Hyderabad.
2 Executive Director (Medical), APSRTC Hospital,

Tarnaka, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction especially one in the nature of writ of mandamus: a)declaring the action of respondents in not granting Special Grade to the petitioner in terms of Circular No.PD-73/1997 dt.24-10-97 as illegal and arbitrary. b)consequently direct the respondents to release the Special Grade to the petitioner w.e.f.01-4-2000 duly granting all other consequential benefits. c) and pass such other order or orders.

Counsel for the Petitioner: MR.K.VASUDEVA REDDY

Counsel for the Respondents: MR.V.T.M.PRASAD, Standing Counsel for APSRTC.

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the inaction of the respondents in granting Special Grade increment in terms of Circular No.PD-73/1997 dt.24-10-1997 and the same may be declared as illegal and arbitrary, and to direct the respondents to release the Special Grade increment to the petitioner with effect from 01-04-2000 with all consequential benefits.

2. It is stated that the petitioner was appointed as ECG Technician Grade-II in the first respondent Corporation on 02-04-1988 and continuing in the said post even as on date. According to the petitioner, the Corporation issued a Circular No.PD-73/1997 dt.24-10-1997 providing incentives to the employees, who could not get any promotion within a period of 12 years and as per the said circular, an employee who completes more than 12 years is entitled to the benefit of Special Grade Scales, therefore, the petitioner sought for the said relief.

3. At the time of hearing, it is represented that similar matters were considered and disposed of by this Court following the Division Bench judgment of this Court in W.P.No.544 of 2005 dated 07-06-2005.

4. As the issue is covered by the judgment of this Court as well as the Division Bench, the writ petition is disposed of directing the respondents to consider the case of the petitioner and grant Special Grade in terms of Circular No.PD-73/1997 dated 24-10-1997 on par with other employees. The respondents are directed to pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition is disposed of. No order as to costs.

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S.ANANDA REDDY, J

14th June, 2005

Note:

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Furnish C.C. within one week.

B/o.

SKM

To

1 The Vice Chairman & Managing Director,

APSRTC, RTC 'X' Roads, Hyderabad.
2 The Executive Director (Medical), APSRTC Hospital,

Tarnaka, Hyderabad.

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